IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL SECOND APPEAL No. 5 of 2006

GOVINDRAM & ORS
V/S
NAGAR PALIKA, BALOTRA & ANR

Mr. VIKRAM SINGH CADWAS, for the appellant / petitioner

Mr. ANIL VYAS for Mr. MS PUROHIT, for the respondent

Date of Order : 12.10.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the appellant.

Having perused the impugned judgments, I do not find the findings of fact recorded by the learned Courts below to be vitiated on any of the grounds available under Section 100 CPC.

It is a different story that even according to the plaintiff-appellant, he had obtained a Patta from the Municipality of the land, adjoining the land in question, and claims to be in possession of the land since much before obtaining Patta of that land. It doesn't stand to reason that now the appellant is entitled to claim a mandatory injunction against the Municipality directing the Municipality to regularise the possession and/or grant Patta to the plaintiff.

The appeal thus, does not involve any substantial question of law. The same is, therefore, dismissed summarily.

(N P GUPTA),J.

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